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NSC & JCS Review Completed

MEMORANDUM FOR: Chief, Political & Psychological Warfare Staff

SUBJECT: NSC Directive on Covert Operations

REFERENCE: Memorandum, above subject, from General Counsel to you, dated 10 Sept 1953, and draft attached.

1. This memorandum will transmit my suggestions concerning the reference draft.

2. I have no change to propose on the first page of the reference draft. While it might be desirable to retain some of the original language from NSC 10/5, which called for expansion and intensification of covert operations, it is doubtful that inclusion in this paper would have any greater effect in this respect than resulted from NSC 10/5, itself. Consequently, I recommend that we make no issue on this point.

3. Sub-paragraphs 3b(2) and 3b(3) of the subject paper are taken verbatim from NSC 10/2 and continue to be adequate. Sub-paragraph 3b(1) of reference paper is an effort to adapt to the provisions of Executive Order 10483. However, this provision, as currently drafted, involves two possible dangers which suggest reconsideration. Depending upon which connotation of the term "guidance" is to be understood, it is possible that this language provides for two sources of directive guidance to DCI: one from the Operations Coordinating Board on major programs, and the other from "appropriate departments and agencies" on specific projects. This point should be clarified to limit this degree of control to the OCB only and to define clearly that the relationship directly with other departments or agencies is one of consultative advice. The further danger is that this general reference to other departments or agencies might have the effect of subjecting this Agency to control or guidance not only from State and Defense, but from an indefinite number of

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additional agencies. To meet these points, therefore, I suggest the following revision of this provision:

"(1) Ensuring that covert operations are planned and conducted in a manner consistent with United States foreign and military policies and with overt activities, obtaining guidance in this respect on major programs through the mechanism of the Operations Coordinating Board, established by Executive Order 10483, on major programs, and advice on specific projects through direct liaison with the appropriate departments or agencies on specific projects."

4. Sub-paragraph 3c of the reference paper is a revision of the present NSC 10/2 statement on covert economic warfare. While the language of the reference draft is the same as proposed by Mr. Wisner in a memorandum of 5 October 1950 to DDCI, I do not believe this language fully meets all of the questions involved. As compared with the existing language of NSC 10/2, this revision does limit the coordination of covert economic warfare activities with other agencies to the planning aspects only. However, it does not meet the fact, as noted in Mr. Wisner's memorandum, that the identity of other agencies having responsibility for economic warfare planning is by no means established. Consequently, I suggest revision of this paragraph of the reference draft as follows:

"c. Any department or agency of the U.S. Government having established responsibility for the planning of economic warfare will inform the Director of Central Intelligence of the character and extent of such responsibility, and his planning of covert operations pertaining to economic warfare will be coordinated with the any such departments or agencies to the extent of such responsibility. The Central Intelligence Agency will conduct all such covert operations."

5. With respect to Paragraph 4 of the subject draft, the General Counsel's memorandum suggests that this provision overlaps Paragraph 3b(2) and may therefore be unnecessary. It is noted that this language follows, with some revision, the suggestion of Mr. Wisner's October 1950 memorandum. It is recalled that his proposal of that time was widely considered, did not meet with favor at the Pentagon, and was therefore not adopted. However, revision was made at that time of the original Paragraph 4 of NSC 10/2, the language presently in force reading as follows:

"4. In time of war, or when the President directs, all plans for covert operations shall be coordinated with the Joint Chiefs of Staff. In active theaters of war where American forces are engaged, covert operations will be conducted under the direct command of the American Theater Commander and orders therefor will be transmitted through the Joint Chiefs of Staff unless otherwise directed by the President."

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This language appears to be the basis for the current definition of CIA-military command relationships in war, as defined by the JCS Unconventional Warfare Plan in Support of the Joint Outline Emergency War Plan. While it is possible that the language of sub-paragraph 3b(2) of the reference draft, which reserves the requirement of JCS acceptance of war plans for covert operations, would be a sufficient protection of the military interest, and that accordingly Paragraph 4 of the reference draft might be omitted entirely. However, since the existing language of Paragraph 4 of NSC 10/2 received such wide consideration, it is believed that it should be retained.

6. Paragraph 6 of the reference draft rescinds NSC 10/2 and NSC 10/5 in toto. In this connection it is noted that the Presidential Directive Supplementary to Executive Order 10483 contains the following language:

"a. The functions of the Psychological Strategy Board assigned in Paragraph 2 and 3 of NSC 10/5 approved October 23, 1951, insofar as those functions relate to major programs.

"b. The policy coordinating functions provided for in Paragraph 3d(1) of NSC 10/2 approved June 18, 1948, under such procedures as the Board shall determine in order to insure the proper degree of security."

Since this quoted language affirms the continuation in force of the cited portions of NSC 10/2 and 10/5, with the modification specified, it appears that any substitute for these two papers would have to provide for the re-enactment or continuation of these provisions. [REDACTED] of this staff will discuss this latter point with the General Counsel at 2:30 on Friday, 18 September, and [REDACTED] has been invited to join this discussion.

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Chief, Planning and Program
Coordination Staff

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